

28 MAY 2002

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PFALLER - 1 US (PCT)

EXAMINER: C. S. F. LOW

SERIAL NO: 10/031,547

FILED: JANUARY 18, 2002

PCT SERIAL NO: PCT/EPO0/06091

PCT FILING DATE: JUNE 29, 2000

GROUP: 1653

TITLE: PYRF GENE & ITS USE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTSUnder 35 U.S.C. 371

Box PCT - Missing

ATT: BOX NON FEE AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated March 22, 2002 from the U.S.P.T.O. This Notification has stated that the copy of the Sequence Listing in paper form as well as in computer readable form was found to be improper, or damaged, or unreadable.

In response to the Notification, a telephone conversation was conducted with Mr. Christopher S. F. Low, the Supervisory Patent Examiner (SPE) of Technology Center 1600, on April 11, 2002.

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JUN 10 2002

TECH CENTER 1600/2900

Enclosed is a copy of a 7 page facsimile transmission dated April 11, 2002, from the U.S.P.T.O., from SPE Christopher Low, which indicates that the Sequence Listing has been "ENTERED" as is stamped on the faxed copy from SPE Christopher Low. Therefore, the Notification of Missing Requirements under 35 U.S.C. 371 is believed to be in error, because the Sequence Listing is proper; and this is the reason why it was "ENTERED".

For these reasons, it is respectfully requested that the Notification of Missing Requirements under 35 U.S.C. 371 be withdrawn, because the previously filed Sequence Listing is proper and was entered. Hence there is no longer any requirement to file a substitute "Sequence Listing".

Respectfully submitted,
PFALLER-1 US (PCT)

Edward Freedman
Allison C. Collard
Registration No. 22,532
Edward R. Freedman
Registration No. 26,048
Attorneys for Applicants

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Enclosures: (1) Copy of Notification of Missing Requirements;
(2) Copy of 7 page facsimile transmission from SPE Christopher Low.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231, on May 20, 2002.

Ingrid Mittendorf



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20590
 www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/031,547	Rupert Pfaller	PFALLER-1 (PCT) US
INTERNATIONAL APPLICATION NO		
PCT/EP00/06091		
1A. FILING DATE	PRIORITY DATE	
06/29/2000	07/22/1999	

Edward R Freedman
 Collard & Roe
 1077 Northern Boulevard
 Roslyn, NY 11576-1696

CONFIRMATION NO. 6601

371 FORMALITIES LETTER



OC000000007687128

Date Mailed: 03/22/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/031,547	PCT/EP00/06091	PFALLER-1 (PCT) US

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FAX

TELECOPY/FACSIMILE TRANSMISSION

DATE: 11 Apr 2002PAGES: 7 (No. of pages including this cover sheet)TO: Coraci (ATTORNEY, AGENT, FIRM OR AGENCY)10/031547 (ATTORNEY'S DOCKET NUMBER OR APPLICATION NUMBER)(516) 365 - 9805 (FAX/TELECOPIER NUMBER)FROM: CHRISTOPHER LOWSPE ART UNIT 1653

SPE'S OFFICE TELEPHONE NUMBER: (703) 308-2923

Technology Center 1600 FAX NUMBERS

(703) 305-7401 (UNOFFICIAL)**(703) 308-4242 (OFFICIAL)**

IF YOU HAVE NOT RECEIVED ALL OF THE PAGES OF THIS TRANSMISSION, PLEASE CONTACT THE EXAMINER AT THE TELEPHONE NUMBER ABOVE.

ALL FAX MACHINES WILL BE AVAILABLE TO RECEIVE TRANSMISSIONS 24 HOURS PER DAY, 7 DAYS PER WEEK.

IN COMPLIANCE WITH 1096 OG 30, THE FILING DATE ACCORDED EACH OFFICIAL FAX TRANSMISSION WILL BE DETERMINED BY THE FAX MACHINE'S STAMPED DATE FOUND ON THE LAST PAGE OF THE TRANSMISSION, UNLESS THAT DATE IS A SATURDAY, SUNDAY, OR FEDERAL HOLIDAY WITHIN THE DISTRICT OF COLUMBIA, IN WHICH CASE THE OFFICIAL DATE OF RECEIPT WILL BE THE NEXT BUSINESS DAY.

CSFL
24 April 1998

CHRISTOPHER S. F. LOW
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600



1653

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/031,547

DATE: 04/10/2002

TIME: 13:46:09

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 13 <130> FILE REFERENCE: PFALLER-1 US PCT
 C--> 17 <140> CURRENT APPLICATION NUMBER: US/10/031,547
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 19 <151> PRIOR FILING DATE: 2000-06-29
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PATENT APPLICATION: US/10/031,547

DATE: 04/10/2002

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DATE: 04/10/2002

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VERIFICATION SUMMARY

PATENT APPLICATION: US/10/031,547

DATE: 04/10/2002

TIME: 13:46:10

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L:17 M:271 C: Current Filing Date differs, Replaced Current Filing Date
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L:480 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:5
L:541 M:334 W: (2) Invalid Amino Acid in Coding Region, NUMBER OF INVALID KEYS:4



Creation date: 22-08-2003
Indexing Officer: SANDRUS - SHANTEL ANDRUS
Team: OIPEBackFileIndexing
Dossier: 10031547

Legal Date: 04-06-2002

No.	Doccode	Number of pages
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4	NPL	1
5	NPL	11
6	NPL	9
7	NPL	2
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13	NPL	5
14	NPL	8
15	NPL	10
16	NPL	4

Total number of pages: 107

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